

EMSSAB CHAIRS

Bi-Monthly Conference Call

Tuesday, June 29, 2004
3:30 – 5:00 p.m.

Participants:

Chairs/Representatives:

Fernald	No representative present
Hanford	Shelley Cimon, Sharon Braswell
Idaho	David Kipping, Shannon Brennan, Peggy Hinman
Nevada	Charles Phillips, Carla Sanda, Marian Lawrence
NNM	Menice Manzanares, Ted Taylor
Oak Ridge	Norman Mulvenon, Pat Halsey
Paducah	Bill Tanner, David Dollins
Rocky Flats	Victor Holm, Karen Lutz, Ken Korkia
Savannah River	Jean Sulc, Mel Galin, Dawn Haygood, de'Lisa Bratcher, Gerri Fleming, Dennis Godbee

DOE representatives:

EM-30.1	Sandra Waisley (DFO), Jay Vivari, Frederick Dowd
CI	Betty Nolan

1. OPENING REMARKS

Ms. Waisley opened the meeting by welcoming everyone and commenting that since the Chairs meeting held in Washington in April, there were several issues that needed to be discussed.

She mentioned the resignation of Assistant Secretary Jessie Roberson, effective July 15. At that time, Paul Golan will be made Acting Assistant Secretary until a new appointment is made.

Regarding the budget, Ms. Waisley said the FY 2006 budget will be going to the Secretary for review and approval in July. The FY 2005 budget review will take place in late July/early August. It will result in funding decisions on a number of projects, including EMSSAB funding.

2. LOCAL SSAB ISSUES/UPDATES

Paducah (PAD) – Bill Tanner

- One new member has been appointed to fill an unexpired term.
- Another member, Becky Lambert, has resigned from the Board for personal reasons.

- The Board is planning a November retreat.
- The Board is moving to have a new support services contractor in place by October 1.
- DOE is now responding orally to the Board's minor recommendations and is using the Board's minutes to serve as the official record to document DOE's response. The Board is determining if this new procedure will be effective. Project-specific recommendations will still require a written response.
- Orientation for new members has been conducted.
- The Board's annual recruitment process is getting started.

Oak Ridge (OR)– Norm Mulvenon

- The Oak Ridge Reservation had two reportable incidents – a sodium fire at East Tennessee Technology Park and a transportation contamination incident – that resulted in two Type B investigations. The Oak Ridge Board and DOE will co-sponsor a public meeting on July 15 where the results of the two investigations will be presented.
- The Stewardship Committee is developing a Stewardship Education Resource Kit, which includes lesson plans, videos, and other tools for use by high school teachers. The Board will send a copy of the Resource Kit to Ms. Waisley.
- The FY 2005 budget request for the Oak Ridge Board includes an increase based on increased funding to support the 8(a) contractor.
- The Board will conduct its retreat on August 7.
- The Board just completed its annual recruiting drive and received 20 applications.

Hanford (HAN) – Shelley Cimon

- The Hanford CAB conducted the first of three workshops on Hanford's Risk-Based End States (RBES), focusing on the 100 Area. The workshop was a success.
- Plans are to conduct a second workshop in August focusing on the 200 Area, and a third workshop in the fall focusing on the 300 Area. All workshops are open to the public.
- The Hanford Solid Waste Environmental Impact Statement (EIS) has been released.
- Scoping for the Fast Flux Test Reactor EIS is planned for the fall.
- The Tanks EIS is also scheduled for the fall.

Nevada (NV)– Charles Phillips

- Last month, five newly selected members participated in an orientation aimed at providing an overview of the CAB's Charter, Standard Operating Procedures, and Member and Staff Responsibilities.
- The Transportation Committee has been very active, including making recommendations regarding emergency preparedness/response for a new community hospital in Pahrump, and transmitting a letter related to completion of

TRU waste shipments from the NTS to the WIPP site scheduled for this calendar year.

- The CAB will hold its semi-annual work plan retreat on July 16.
- An NTS tour is planned for Thursday, July 15, with a focus on a newly-installed real-time radiography facility.
- The CAB has formed a Task Force to focus on the transition of the NTS EM program to the National Nuclear Security Administration (NNSA).
- The CAB is also finalizing a letter to the NTS AMEM, Carl Gertz, related to the latest version of the RBES documents.
- The CAB's Underground Test Area Committee has been evaluating DOE's strategy for evaluating the potential for contaminated groundwater to migrate from the NTS to nearby communities. The CAB has been invited to sponsor a "Groundwater 101" workshop in Beatty, NV in late summer or early fall.

Northern New Mexico (NNM) – Menice Manzanares

- The NNM Board has a new Chair, Timothy DeLong, who works for a contractor performing Environmental Safety and Health functions. He will serve as Chair until the next election.
- Katherine Guidry has resigned as Chair of the Board but will remain on the Board as a member.
- The Board conducted a successful annual retreat in May.
- The Board is trying a new recruitment tool: asking each member to bring a potential new member to the July Board meeting.
- New Chairman Timothy DeLong testified before the New Mexico Legislature's Interim Committee on Radioactive and Hazardous Materials.
- On June 10, the Board sent letters to State, DOE, and EPA officials asking them for their FY 2005 cleanup priorities. The Board will use this input in developing its FY 2005 Work Plan, which will be finalized in September.
- The summer edition of the Board's newsletter is ready for printing.
- Edward Wilmont, the new manager at Los Alamos, made a presentation to the Board in May.

Rocky Flats (RF) – Victor Holm

- Cleanup at the site is going well, with many buildings coming down.
- The Board held a workshop on Post-Closure Public Participation on Saturday, June 26.
- The Office of Legacy Management (LM) sent three people (including David Geiser and Anthony Carter). Local EM staff, Grand Junction staff, and politicians also attended.
- Mr. Holm does not see the Rocky Flats CAB, as structured, moving over to LM - there's no need for advisory activities. However, it is clear that there still needs to be significant public participation at the site.
- The public has expressed interest in commemorating the history of Rocky Flats with a museum.

- The Board is interested in learning more about the repercussions of the language in the Senate Defense Authorization Bill (S. 2400, section 3120). Ms. Nolan (CI) pointed out that authorization language is not final until it appears in the appropriation bill.

Fernald – Not Present

Idaho (ID)– David Kipping

- At the site, a pilot program will dig up buried waste (originally sent from Rocky Flats in 1965). The Board is pleased to see DOE's commitment, even though the pilot program will not dig up all the waste, just the most radioactive TRU waste. Excavation begins in October.
- The Board is meeting in two weeks to discuss "End States" for the site and to review the site's mission. This is separate from the RBES process. The Board plans to compare its own perspective on the site's end state with DOE's as the basis for future discussion.
- There are currently two pending contracts. One is a 10-year contract to manage the site and conduct Nuclear Energy (NE) related activities (NE is the current landlord). The other is to complete EM-related cleanup activities. This Request for Proposal has been delayed. The Board is concerned that the delay will put site cleanup "on hold".
- DOE has done as much as it can in completing cleanup of the tank farm. Remaining tanks contain high-level waste that must be solidified before they can be cleaned up.
- The Board completed new member orientation.

Savannah River (SR) – Jean Sulc

- The Board is pleased with the progress in selecting an 8(a) contractor. If all goes well, the contract will be signed in July and the contractor will be ready to start in October.
- The Board has reiterated the Defense Nuclear Facility Safety Board's concern about the SR tanks. With the funding delay, waste is not being moved and the tanks are close to their limit. There are real safety concerns.
- The Savannah River Technical Center is now the Savannah River National Laboratory, the only national laboratory under the EM program.

3. NEW BUSINESS

Upcoming Chairs Meeting

- Mr. Vivari began discussing the next Chairs meeting by asking if Hanford was still willing to host it, as Todd Martin had indicated at the April Chairs meeting. Ms. Cimon said the Hanford Advisory Board would be glad to host the meeting

and suggested October 6-8 for possible dates, with a tour of the Hanford site on Wednesday, October 6.

- Mr. Vivari requested that all of the Chairs contact him to let him know if the suggested dates were acceptable.
- He also asked for volunteers for the Steering Committee. Volunteering were Todd Martin (volunteered by Shelley Cimon), Shelley Cimon, Mel Galin, David Kipping, Carla Sanda, and Jay Vivari.
- The Steering Committee will discuss topics for the meeting in the near future.

4. CONGRESSIONAL REPORT – Betty Nolan (CI)

- Ms. Nolan said Congress was in recess for the Fourth of July holiday, but would be back in session on July 6.
- The House Energy and Water Development Appropriation Bill was passed before the recess. EM received \$7.8B, approximately \$330M more than last year, but slightly less than the DOE's request.
- The Senate Energy and Water Appropriation Bill has not been marked up. This will happen in July. Afterward, there will be a conference committee to iron out the differences between the bills.
- There is talk of a continuing resolution and bills that have already been passed will be wrapped into an Omnibus Bill.
- Ms. Nolan believes that EM looks okay but nothing is, as yet, finalized.
- House Conference language provides specific direction: does NOT support transferring the Spent Nuclear Fuel program to the Office of Civilian Radioactive Waste Management. The Conference Report is on the Web site.
- Mr. Galin (SR) asked about the status of the Graham Amendment. Ms. Nolan responded that the amendment is in the Senate Defense Appropriation Bill, but similar language is not in the House bills. The House prefers to see a complex-wide solution to the waste issue, which is at odds with Senator Graham's approach.
- Ms. Waisley reminded everyone that FY 2005 is the peak year for EM funding. After that, funding will start to decrease and will flatten out beginning in FY 2008.

5. OTHER NEW BUSINESS

WIPP

- Mr. Kipping (ID) asked about the status of the permit for handling remote-handled waste. Ms. Waisley said she would find out.

(Ms. Waisley's response: "When DOE submitted the class 3 permit modification to the State of New Mexico in June 2002, the state regulators responded by giving DOE a Notice of Insufficiency. Subsequently, DOE responded to the state's comments in a matter of months, but the state has not responded since 4th quarter 2002. In addition, although EPA has approved DOE's approach or framework of

the permit mod, it has taken no action recently. In summary, the permit mod has not been approved for WIPP.”)

Budget

- Mr. Kipping also asked about the status of the pending \$350M lawsuit.
- Ms. Nolan said the money will be divided up between three sites (Hanford, Idaho, and Savannah River). If the funds are not spent in FY 2004, they will go into the FY 2005 budget. Ms. Waisley added that the funds are part of the \$7.8B budget for FY 2005.

New Guidance for the EMSSABs

- Ms. Waisley said the guidance letter defining how the EMSSABs can provide advice (address recommendations to EM, with a cc: to external organizations) had been worked through General Counsel (GC) and the Executive Secretariat (ES). Mr. Vivari added that both GC and ES had concurred, and the letter was on its way to Ms. Roberson in EM-1 for signature. Mr. Vivari reminded everyone that the letter restated DOE’s position as it was presented in the April Chairs meeting.

Yucca Mountain Licensing Update

- Ms. Nolan stated that DOE plans to submit a license application to the Nuclear Regulatory Commission by December, and still plans to open the repository by 2010. However, there are serious funding issues facing the Yucca Mountain Project in FY 2005.

SSAB Workshop

- Mr. Mulvenon (OR) asked about the next workshop. There was consensus on the need for a Public Participation (PP) workshop, emphasizing how public participation is affected as sites transition to new landlords.
- Ms. Sanda (NV) thought the outcome of a PP workshop should be recommendations of what public participation should look like in the future and during the transition period.
- It was agreed that Legacy Management should be invited to attend and asked to give a presentation.
- Mr. Mulvenon suggested a Steering Committee be appointed and agreed to be part of the committee. Other volunteers were Ken Korkia, Susan Leckband, and Jay Vivari. Mr. Vivari will contact the committee members soon and set up a conference call.

Ms. Waisley thanked everyone for their participation and announced the next conference call would be held in August.